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NATIONS

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A/48/397
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14 September 1993
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GENERAL ASSEMBLY
Forty-eighth session
Item 79 of the provisional agenda*
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 13 September 1993 from the Permanent Representative of the Lao People's Democratic Republic to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter which Mr. Somsavath Lengsavad and Prince Norodom Sirivudh, Ministers for Foreign Affairs of the Lao People's Democratic Republic and of the interim national Government of Cambodia, respectively, have sent to you (see annex), and an unofficial French translation of the joint Lao-Cambodian communiqué dated 31 July 1993 (see appendix).

I should be grateful if you would have the text of this letter and of its annex circulated as a document of the General Assembly, under item 79 of the provisional agenda, and of the Security Council.

(Signed) Alounkeo KITTIKHOUN
Ambassador
Permanent Representative

* A/48/150 and Corr.1.

ANNEX

Letter dated 31 July 1993 from the Ministers for Foreign Affairs of the Lao People's Democratic Republic and of the interim national Government of Cambodia addressed to the Secretary-General

On behalf of the Lao People's Democratic Republic and of Cambodia, we have the honour to transmit herewith the joint Lao-Cambodian communiqué dated 31 July 1993 (see appendix).

We should be very grateful if you would have this letter and its appendix circulated as an official document of the General Assembly, under item 79 of the provisional agenda, and of the Security Council.

(Signed) Somsavath LENGSAVAD
Minister for Foreign Affairs
of the Government of the
Lao People's Democratic Republic

(Signed) NORODOM SIRIVUDH
Minister for Foreign Affairs
of the interim national
Government of Cambodia

APPENDIX

Joint Lao-Cambodian communiqué issued on 31 July 1993 at Vientiane

1. His Royal Highness Sdech Krom Luong Norodom Ranariddh and His Excellency Mr. Hun Sen, co-Presidents of the interim national Government of Cambodia, made an official visit of friendship to the Lao People's Democratic Republic from 28 to 31 July 1993 at the invitation of His Excellency Mr. Khamtay Siphandone, Prime Minister of the Lao People's Democratic Republic.

2. During their stay in the Lao People's Democratic Republic, H.R.H. Sdech Krom Luong Norodom Ranariddh and H.E. Mr. Hun Sen were received by H.E. Mr. Nouhak Phoumsavanh, President of the Lao People's Democratic Republic. On that occasion, the guests and their host had talks on the relations between the two countries in a cordial atmosphere of good mutual understanding. H.E. President Nouhak Phoumsavanh also requested them to transmit to His Royal Highness Samdech Preah Norodom Sihanouk, Chief of State of Cambodia, and to Samdech Preah Cheaya an invitation to make a state visit to the Lao People's Democratic Republic at a time convenient to them.

The two co-Presidents expressed deep gratitude to H.E. President Nouhak Phoumsavanh for his kind invitation to His Royal Highness Samdech Norodom Sihanouk and Samdech Preah Cheaya and assured him that they would transmit it to its distinguished destination.

3. H.R.H. Sdech Krom Luong Norodom Ranariddh and H.E. Mr. Hun Sen and their entourage placed a wreath at the monument to unknown soldiers and visited production centres and historical and cultural sites at both Vientiane and Luang Prabang. They were given a warm welcome wherever they went.

4. The delegation of the Government of the Lao People's Democratic Republic, headed by H.E. Mr. Khamtay Siphandone, and the delegation of the interim national Government of Cambodia, headed by H.R.H. Sdech Krom Luong Norodom Ranariddh and H.E. Mr. Hun Sen, talked in an atmosphere of friendship and cordiality. During the talks, the two parties exchanged views on the international and regional situations, gained information about the situation in their respective countries, and also discussed the prospects for relations of bilateral cooperation.

5. The Lao side warmly welcomed the results of the general elections which were held recently in Cambodia, in May, and the formation of the Constituent Assembly and of the interim national Government of Cambodia, which represent significant results of the implementation of the policy of national harmony in that country.

In that spirit, H.E. Mr. Khamtay Siphandone expressed deep appreciation for the significant and noble role played by His Royal Highness Samdech Preah Norodom Sihanouk, Chief of State and Father of the Cambodian nation, in promoting national reconciliation, peace, stability and the well-being of the entire Cambodian people and in the consolidation and development of

the traditional ties of friendship and solidarity between the two countries and peoples.

6. On behalf of the Lao Government and people, H.E. Mr. Khamtay Siphandone expressed warm congratulations to H.R.H. Sdech Krom Luong Norodom Ranariddh and H.E. Mr. Hun Sen on their appointments as co-Presidents of the interim national Government of Cambodia and wished them great success in carrying out their noble task of making Cambodia an independent, peaceful, neutral, non-aligned and prosperous country having friendly relations with all countries, particularly the neighbouring countries.

7. The Lao party reiterated its firm desire to continue to maintain and develop the traditional relations of friendship and good-neighbourliness between the Lao and Cambodian peoples.

8. H.R.H. Sdech Krom Luong Norodom Ranariddh and H.E. Mr. Hun Sen, co-Presidents of the interim national Government of Cambodia, expressed deep gratitude to H.E. Mr. Khamtay Siphandone, Prime Minister of the Lao People's Democratic Republic, for his kind invitation to make an official visit of friendship to the Lao People's Democratic Republic, which is clear proof of the desire to strengthen the traditional ties of friendship, solidarity and cooperation between the Lao and Cambodian countries and peoples.

9. The delegation of the interim national Government of Cambodia expressed its sincere thanks to the Lao Government and people for their very active contribution to the peace process in Cambodia since the beginning of the peace negotiations, particularly after the signing of the Paris Agreements and until the Cambodian people organized free and democratic general elections in Cambodia, selected the members of the Constituent Assembly and subsequently established the interim national Government of Cambodia.

10. The two parties stressed the importance of the development of the traditional relations of friendship and good-neighbourliness between the two countries on the basis of the principles of mutual respect for independence, sovereignty and territorial integrity, non-interference in the domestic affairs of each country, non-use of force or threat of its use, peaceful settlement of all problems arising in relations between the two countries, cooperation, equality and mutual advantage. This corresponds to the fundamental long-term interests of each people and accords with the spirit of the Paris Agreements on Cambodia of 23 October 1991, which the Lao People's Democratic Republic and Cambodia duly signed.

11. In this spirit, the two parties laid emphasis on the expansion of cooperation between the two countries in the economic, commercial, cultural, scientific and technical fields.

12. The two parties noted that the international situation as a whole is still difficult and complex. However, the general trend of the situation in South-East Asia is one of improvement in the relations of friendship and cooperation among the countries of the region.

13. The two parties took the view that the official visit of friendship by the delegation of the interim national Government of Cambodia to the Lao People's

Democratic Republic was a success, thereby marking a new stage in the development of the traditional relations of friendship and good-neighbourliness between the two countries and peoples.

14. H.R.H. Sdech Krom Luong Norodom Ranariddh and H.E. Mr. Hun Sen, co-Presidents of the interim national Government of Cambodia, once again expressed their deep gratitude to the Lao Government and people, who had given them a warm and hospitable welcome. On behalf of the interim national Government of Cambodia, H.R.H. Sdech Krom Luong Norodom Ranariddh and H.E. Mr. Hun Sen invited H.E. Mr. Khamtay Siphandone, Prime Minister of the Lao People's Democratic Republic, to make an official visit of friendship to Cambodia at a suitable time. This invitation was gratefully accepted and the date of the visit will be communicated through the diplomatic channel.

For the Government of the
Lao People's Democratic Republic

Khamtay SIPHANDONE
Prime Minister

For the interim national
Government of Cambodia

NORODOM RANARIDDH
co-President

HUN SEN
co-President

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**UNITED NATIONS** **S**

**Security Council**

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GENERAL

S/26442
15 September 1993

ORIGINAL: ENGLISH

LETTER DATED 15 SEPTEMBER 1993 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Pursuant to Article 94, paragraph 2, of the Charter of the United Nations, a request is hereby made that the Security Council take the necessary measures under Chapter 7 of the Charter in order to enforce the order of 13 September 1993 of the International Court of Justice pursuant to the "further Requests for the Indication of Provisional Measures" in the case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide brought by the Republic of Bosnia and Herzegovina against "Yugoslavia (Serbia and Montenegro)".

The 13 September 1993 ruling reaffirms the Court's previous Order of 8 April 1993 and which should be "immediately and effectively implemented". In view of the fact that: (1) the aggression directed at the Republic of Bosnia and Herzegovina continues; (2) the genocide against the Bosnian people is unchecked, in contravention to the 8 April 1993, order; and (3) the genocide and aggression is furthered through the sieges of Bosnian cities including Sarajevo, Gorazde, other so-called "safe areas" and other areas, we call upon the Security Council to take the necessary and immediate steps to lift the sieges and thereby confront the ongoing genocide.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

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General Assembly
Security Council

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A/47/1018
S/26443
15 September 1993
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ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda items 30 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-eighth year

Letter dated 9 September 1993 from the Permanent Representative of Venezuela to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the official communiqué issued by the Ministry of Foreign Affairs of Venezuela on the occasion of the announcement by Israel and the Palestine Liberation Organization of the signing of the interim peace agreement.

I should be grateful if you would arrange for the text of this letter and its annex to be circulated as an official document of the forty-seventh session of the General Assembly, under agenda items 30 and 35, and of the Security Council.

(Signed) Adolfo R. TAYLHARDAT
Permanent Representative
of Venezuela

ANNEX

Communiqué issued on 9 September 1993 by the Ministry of Foreign Affairs of Venezuela on the occasion of the signing, by Israel and the Palestine Liberation Organization, of the Declaration of Principles

The Government of Venezuela welcomes with deep satisfaction the decision of the Government of Israel and the leadership of the Palestine Liberation Organization (PLO) to sign an interim peace agreement which will permit Palestinian self-rule in Gaza and Jericho.

Given the historic importance of this agreement, the National Government extends its congratulations to the principal parties involved in this process, which constitutes the first step towards a regional, lasting and definitive peace. In particular, it wishes to acknowledge the hard work of the negotiators representing all the parties involved, in achieving a settlement which will have a tremendous impact on the current international scene and which is a reflection of a new era for a world that, despite its complexity, is still striving for peace.

The Government of Venezuela, in keeping with the country's peace-loving tradition, urges the parties involved in this process to make every effort to continue the negotiations aimed at reaching agreements that would bring a comprehensive peace to the Middle East, a region consisting of friendly countries with which Venezuela maintains close ties.

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**UNITED NATIONS** **S**

**Security Council**

Distr.
GENERAL

S/26444
15 September 1993

ORIGINAL: ENGLISH

LETTER DATED 13 SEPTEMBER 1993 FROM THE PERMANENT REPRESENTATIVE OF NEW ZEALAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose a paper that New Zealand has prepared for the consideration of members of the Security Council, which contains a number of proposals concerning Security Council action on resolutions establishing peace-keeping operations.

I should be grateful if this letter and its attachment could be circulated as a document of the Security Council.

(Signed) Colin R. KEATING
Permanent Representative

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## Annex

## Security Council action on resolutions establishing peace-keeping operations

1. New Zealand considers that the Security Council is steadily improving the quality of its consideration of issues relating to the establishment of mandates for peace-keeping operations. Resolution 858 (1993) is a good example of the progress that has been made.

2. Looking to the future, and bearing in mind the operational principles identified in the presidential statement of 28 May 1993 (S/25859), New Zealand proposes that, unless there are exceptional circumstances, the following elements should be employed in all resolutions authorizing peace-keeping operations:

(a) A precise statement of the mandate;

(b) A defined term for the mandate;

(c) Provision for review of the mandate;

(d) A requirement for ongoing reporting;

(e) Requirements relating to the safety of United Nations personnel.

3. New Zealand also proposes that it should become standard practice for the Council:

(a) To obtain detailed financial statements;

(b) To obtain input from States not members of the Security Council.

### A. Precise statement of mandate

4. In New Zealand's view, more deliberate Security Council discussion prior to authorization of an operation can only improve the quality of the eventual decision and reduce the subsequent need to revisit the issue. In resolution 858 (1993) it proved possible to define concretely the mandate in three short subparagraphs.

5. This is not to oppose necessary levels of flexibility. But in our opinion, when the Council sees the need for flexibility, it is essential that there be, first of all, a clear understanding of the limits of flexibility - all the more need, in such cases, for deliberate debate in advance.

6. The perceived advantages of flexibility are more often than not likely to be outweighed by the dangers of imprecision and open-endedness. There are already too many examples of situations where United Nations responsibility has incrementally expanded under a vague mandate in response to the day-to-day

pressure of developments. This can lead to operational confusion and a United Nations commitment quite different from the one originally contemplated.

7. In the case of complex mandates, it would be desirable for the details of the mandate to be set out in an annex to the resolution. This would greatly assist potential troop-contributing countries in identifying what the operation involved, in preparing their personnel and in securing the necessary support, both material and financial. It would assist the media in understanding the operation properly and it would assist the explanation of the operation to the population in the country affected.

## B. Term of mandate

8. In New Zealand's view, it is important that mandates not be unrealistically short. Given the inevitable lead-time in setting up operations, it is important not to create artificial and unnecessary deadlines at too early a stage.

9. It is also fiscally more responsible, where common sense indicates that the operation will need to run for a reasonable period, to provide a realistic time-frame for the mandate. This enables proper financial planning by troop-contributing countries and a responsible basis for consideration of appropriations in the Fifth Committee of the General Assembly.

10. It is equally important, however, that mandates not be open-ended. Unlimited terms have the tendency to encourage protagonists to avoid negotiating permanent peaceful solutions to underlying causes of conflict. In most cases an initial term for a mandate should not be less than 6 months and not longer than 12 months.

## C. Provision for review

11. All mandates should include specific provision for review after a defined period. Virtually all operations will need fine-tuning after actual experience in the field. In New Zealand's view a formal review is the responsible way for dealing with the need for flexibility to respond to such situations. In most cases an initial review should take place after 90 days. Thereafter reviews should be set at six-month intervals.

12. Formal review also serves to allow an opportunity for important political assessments to be made about the ongoing viability of an operation or the acceptability to the Security Council of continuing an operation where, for example, a party to the conflict is not living up to its obligations.

## D. Reporting requirements

13. New Zealand considers that regular reporting to the Council (which should be shared with troop-contributing countries) is essential for the proper discharge, in a transparent manner, of the relevant provisions of Chapters V, VI and VII of the Charter of the United Nations.

14. The daily situation reports from the United Nations Protection Force (UNPROFOR) are a useful model. For other operations, such as the United Nations Operation in Somalia (UNOSOM), weekly situation reports might be appropriate. Certainly, as a minimum, monthly reports from all operations should become the norm.

## E. Safety requirements

15. New Zealand also considers that in this very important area the Security Council is again steadily improving its practice. But more needs to be done.

16. We welcome the Secretary-General's report (S/26358) dated 27 August 1993 in response to the presidential statement of 31 March 1993 (S/25493) and which, in paragraph 35, addresses the action which can be taken by the Council at the time of establishing a mandate.

17. New Zealand believes that, in general, resolutions establishing mandates should require that before any deployment:

(a) All the parties to the conflict should confirm to the Secretary-General that they will take all necessary measures to ensure the security and safety of the United Nations operation and all its personnel;

(b) The host country should confirm that the provisions of the Convention on the Privileges and Immunities of the United Nations will apply from day one and, in the event that this is not feasible de jure, then it will be applied de facto, provided that the necessary legal action is taken within 60 days and that benefits to the United Nations are retroactive to the effective date of commencement of the operation;

(c) A status-of-forces/mission agreement is concluded within 60 days of the adoption of the mandate confirming, inter alia, the status of all personnel, including contract staff and non-governmental organizations (NGO) staff who are engaged in the operation.

18. New Zealand also considers that the Security Council should develop a standard statement, which could conveniently be included in or annexed to each resolution establishing a mandate. Such a statement should incorporate the following:

(a) Attacks or use of force against United Nations personnel will be considered as interference with the exercise of the responsibility of the Security Council under the Charter and may require the Council to consider appropriate measures;

(b) Failure to meet obligations to take all necessary steps with regard to the safety and security of United Nations operations and personnel may also require the Council to consider appropriate measures;

(c) The Security Council will hold persons who order or carry out attacks on United Nations personnel accountable for their actions.

## F. Financial information

19. Under Article 17 of the Charter, the General Assembly has exclusive competence to adopt decisions on financial matters. Nevertheless New Zealand believes that all members of the Security Council have a responsibility to ensure that peace-keeping operations, which the Council approves, have a sound financial and administrative basis. This means that it is essential that the Council receive the best possible estimate of the financial implications of a proposed operation.

## G. Input from wider membership of the United Nations

20. New Zealand believes it is essential to develop mechanisms, appropriately devised for each case, to enable the Council, through informal working groups or similar processes, to consult and obtain input from States not members of the Council that have a special interest in the issue, whether because they are involved at a regional level or because they are troop-contributors. Such mechanisms should also be employed whenever the Council conducts formal reviews of an operation.

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UNITED
NATIONS

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Security Council

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GENERAL

S/26445
15 September 1993

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Reaffirming its resolutions 696 (1991) of 30 May 1991, 747 (1992) of 24 March 1992, 785 (1992) of 30 October 1992, 793 (1992) of 30 November 1992, 804 (1993) of 29 January 1993, 811 (1993) of 12 March 1993, 823 (1993) of 30 April 1993, 834 (1993) of 1 June 1993 and 851 (1993) of 15 July 1993,

Having considered the report of the Secretary-General (S/26434 and Add.1) dated 13 September 1993,

Expressing grave concern at the continuing deterioration of the political and military situation, and noting with consternation the further deterioration of an already grave humanitarian situation,

Deeply concerned that, despite its previous resolutions and the efforts undertaken by the Secretary-General and his Special Representative, the peace talks remain suspended and a cease-fire has not been established,

Welcoming the joint statement issued in Lisbon on 10 September 1993 by the representatives of Portugal, the Russian Federation and the United States of America, the three observer States to the Angolan peace process (S/26488),

Welcoming also and supporting to that end the efforts of the Secretary-General and his Special Representative aimed at the earliest resolution of the Angolan crisis through negotiations, and stressing the importance it attaches thereto,

Welcoming further the efforts of the Ad Hoc Committee on Southern Africa of the Organization of African Unity (OAU) and of Heads of State of neighbouring countries to facilitate the resumption of the peace process in Angola,

Emphasizing the importance of a continued and effective United Nations presence in Angola with a view to fostering the peace process and advancing the full implementation of the "Acordos de Paz",

Reaffirming its commitment to preserve the unity and territorial integrity of Angola,

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1. Welcomes the report of the Secretary-General (S/26434) dated 13 September 1993 and decides to extend the existing mandate of the United Nations Angola Verification Mission (UNAVEM II) for a period of three months until 15 December 1993;

2. Reiterates its readiness to consider taking action promptly, at any time within the period of the mandate authorized by this resolution, on the recommendation of the Secretary-General, to expand substantially the United Nations presence in Angola in the event of significant progress in the peace process;

3. Reaffirms the importance of the functions of good offices and mediation by UNAVEM II and the Special Representative, with the goal of restoring a cease-fire and reinstating the peace process for the full implementation of the "Acordos de Paz";

4. Welcomes the continued disposition of the Government of Angola to reach a peaceful settlement of the conflict in conformity with the "Acordos de Paz" and relevant resolutions of the Security Council;

5. Reaffirms its recognition of the legitimate rights of the Government of Angola and in this regard welcomes the provision of assistance to the Government of Angola in support of the democratic process;

6. Reiterates once again its demand that UNITA accept unreservedly the results of the democratic elections of 30 September 1992 and abide fully by the "Acordos de Paz";

7. Condemns UNITA for continuing military actions, which are resulting in increased suffering to the civilian population of Angola and damage to the Angolan economy and again demands that UNITA immediately cease such actions;

8. Also condemns UNITA's repeated attempts to seize additional territory and its failure to withdraw its troops from the locations which it has occupied since the resumption of the hostilities, and demands once again that it immediately do so and agree without delay to return its troops to United Nations-monitored areas as a transitional measure pending full implementation of the "Acordos de Paz";

9. Reaffirms that such occupation is a grave violation of the "Acordos de Paz" and is incompatible with the goal of peace through agreements and reconciliation;

10. Stresses once again the fundamental need to reinitiate without delay the peace talks under United Nations auspices with a view to the immediate establishment of a cease-fire throughout the country and the full implementation of the "Acordos de Paz" and resolutions of the Security Council;

11. Takes note of statements by UNITA that it is prepared to resume peace negotiations and demands that UNITA act accordingly;

12. Welcomes the further steps taken by the Secretary-General to implement the emergency humanitarian assistance plan;

13. Strongly condemns the repeated attacks carried out by UNITA against United Nations personnel working to provide humanitarian assistance and reaffirms that such attacks are clear violations of international humanitarian law;

14. Takes note of statements by UNITA that it will cooperate in ensuring the unimpeded delivery of humanitarian assistance to all Angolans and demands that UNITA act accordingly;

15. Reiterates its appeal to both parties to take all necessary measures to ensure the security and safety of UNAVEM II personnel as well as of the personnel involved in humanitarian relief operations, and strictly to abide by applicable rules of international humanitarian law;

16. Demands that UNITA proceed immediately to the release of all foreign citizens held against their will and to abstain from any action which might cause damage to foreign property;

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Strongly condemning UNITA and holding its leadership responsible for not having taken the necessary measures to comply with the demands made by the Council in its previous resolutions,

Determined to ensure respect for its resolutions and the full implementation of the "Acordos de Paz",

Urging all States to refrain from providing any form of direct or indirect assistance, support or encouragement to UNITA,

Determining that, as a result of UNITA's military actions, the situation in Angola constitutes a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

17. Decides that the provisions set forth in paragraphs 19 to 25 below shall come into force ten days after the date of adoption of the present resolution unless the Secretary-General notifies the Council that an effective cease-fire has been established and that agreement has been reached on the implementation of the "Acordos de Paz" and relevant resolutions of the Security Council;

18. Decides further that if, at any time after the submission of the above-mentioned report of the Secretary-General, the Secretary-General reports to the Council that UNITA has broken the cease-fire or ceased to participate constructively in the implementation of the "Acordos de Paz" and the relevant resolutions of the Security Council, the provisions set forth in paragraphs 19 to 25 below shall come into force immediately;

19. Decides, with a view to prohibiting all sale or supply to UNITA of arms and related matériel and military assistance, as well as petroleum and petroleum products, that all States shall prevent the sale or supply, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related matériel of all types, including weapons and ammunition, military vehicles and equipment and spare parts for the afore-mentioned, as well as of petroleum and petroleum products, whether or not originating in their territory, to the territory of Angola other than through named points of entry on a list to be supplied by the Government of Angola to the Secretary-General, who shall promptly notify the Member States of the United Nations;

20. Calls upon all States, and all international organizations, to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of adoption of this resolution;

21. Calls upon States to bring proceedings against persons and entities violating the measures imposed by this resolution and to impose appropriate penalties;

22. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) To examine the reports submitted pursuant to paragraph 24 below;

(b) To seek from all States further information regarding the action taken by them with a view to effectively implementing the measures imposed by paragraph 19 above;

(c) To consider information brought to its attention by States concerning violations of the measures imposed by paragraph 19 above and to recommend appropriate measures in response thereto;

(d) To make periodic reports to the Security Council on information submitted to it regarding alleged violations of the measures imposed by paragraph 19 above, identifying where possible persons or entities, including vessels, reported to be engaged in such violations;

(e) To promulgate guidelines that may be necessary to facilitate the implementation of the measures imposed by paragraph 19 above;

23. Calls upon all States to cooperate fully with the Committee established by paragraph 22 above in the fulfilment of its tasks, including supplying such information as may be sought by the Committee in pursuance of the present resolution;

24. Requests all States to report to the Secretary-General by 15 October 1993 on the measures they have adopted in order to meet the obligations set out in paragraph 19 above;

25. Requests the Secretary-General to provide all necessary assistance to the Committee established by paragraph 22 above and to make the necessary arrangements in the Secretariat for this purpose;

26. Expresses its readiness to consider the imposition of further measures under the Charter of the United Nations, including, inter alia, trade measures against UNITA and restrictions on the travel of UNITA personnel, unless by 1 November 1993 the Secretary-General has reported that an effective cease-fire has been established and that agreement has been reached on the full implementation of the "Acordos de Paz" and relevant resolutions of the Security Council;

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27. Expresses also its readiness to review the measures in the present resolution if the Secretary-General reports to the Council that an effective cease-fire has been established and that substantial progress has been achieved towards the full implementation of the "Acordos de Paz" and relevant resolutions of the Security Council;

28. Requests the Secretary-General to submit to it as soon as the situation warrants, and in any case in good time before 1 November 1993 and again before 15 December 1993, a report on the situation in Angola and the implementation of this resolution, with his recommendation for the further role of the United Nations in the peace process and, in the meantime, to keep the Council regularly informed of developments;

29. Decides to remain seized of the matter.

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**UNITED NATIONS**

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Security Council

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A/48/402
S/26446
15 September 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Item 79 of the provisional agenda*
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 15 September 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit, enclosed herewith, the text of a letter from His Excellency Dr. Radoje Kontic, Prime Minister of the Federal Republic of Yugoslavia, addressed to you (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 79 of the provisional agenda and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

* A/48/150 and Corr.1

ANNEX

Letter dated 15 September 1993 from the Prime Minister of the Federal Republic of Yugoslavia to the Secretary-General

We have been greatly perturbed and preoccupied by the latest, totally unprovoked armed aggression of the Republic of Croatia against the United Nations Protected Areas.

This second major military offensive of the Republic of Croatia against those areas has dealt another heavy and serious blow to the Vance Plan and has demonstrated the lack of readiness on the part of the Republic of Croatia to resolve all outstanding questions concerning this plan through peaceful and political means.

By openly violating once again the Vance Plan, the Republic of Croatia challenges the authority of the United Nations and the presence of the peace-keeping forces in the protected areas. I wish to remind you, Mr. Secretary-General, that on the basis of the Vance Plan and during its adoption by the Security Council, the United Nations have undertaken to guarantee peace and security to the entire population in the protected areas. We are confident that the Republic of Croatia would not have resorted to this act of armed aggression, had the United Nations more forcefully and consistently insisted that the obligations contained in the Security Council resolution 802, on unconditional withdrawal from all territories taken by military aggression of 22 January 1993, be honored by the Republic of Croatia.

The armed action of the Republic of Croatia against the protected areas does not threaten only peace and security in those areas but the whole peace process embarked upon in Geneva concerning the crisis in Bosnia and Herzegovina. Namely, the worsening of the situation in the protected areas would undoubtedly adversely affect the atmosphere and the course of the Geneva peace process in regard to the crisis in Bosnia and Herzegovina.

As Prime Minister of the State that co-signed the Vance Plan, I officially appeal to you to use all your authority and influence, through urgent actions by the Security Council, to bring about immediate and unconditional withdrawal of the Croatian Army forces from the three villages occupied by the latest aggression. That would create conditions for reaching the agreement on absolute cease-fire and cessation of hostilities, that the Federal Republic of Yugoslavia firmly supported and actively endeavored for in all contacts with the officials of the Republic of Croatia and the representatives of UNPROFOR.

The Federal Republic of Yugoslavia supports the Vance Plan and is interested in having it honored and adhered to by all. We therefore consider that the latest aggression on the protected areas by the Republic of Croatia must not come in the way of the extension of the UNPROFOR's mandate for the forthcoming period. I am confident that this is the position of the United Nations as well. Failure to extend the mandate would offset the past positive results of the UNPROFOR's presence and jeopardize the chances for finding a political solution.

(Signed) Dr. Radoje Kontic

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GENERAL ASSEMBLY
Forty-seventh session
Agenda items 30 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-eighth year

Letter dated 15 September 1993 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the English and French texts of a statement issued on 13 September 1993 by the Presidency of the European Community on the peace process in the Middle East (see annex).

I should be grateful if you could have this letter and its annex circulated as a document of the forty-seventh session of the General Assembly, under agenda items 30 and 35, and of the Security Council.

(Signed) Paul NOTERDAEME
Ambassador
Permanent Representative of
Belgium to the United Nations

ANNEX

Statement dated 13 September 1993 by the Presidency of the European Community on the peace process in the Middle East

The European Community and its member States pay tribute to the vision and courage of the Israeli and Palestinian leaders who signed this historic agreement, which represents a positive breakthrough in the peace process.

The European Community and its member States offer their continuing political support and readiness to participate in further international arrangements arising in connection with implementation of the agreement.

Stressing the fact that the Community and its member States are already the largest net contributor to the occupied territories, the Community and its member States announce their intention to continue to be a substantive contributor. The European Community is ready to offer a package of immediate aid of 20 million ECU and to discuss medium-term aid with Palestinian institutions as they are formed.

The European Community and its member States reiterate their commitment to a comprehensive peace and hope that progress will be accomplished in other bilateral negotiations and in the multilateral talks on future cooperation. As a chairman of the Regional Economic Development Working Group, the European Community and its member States are prepared to contribute to all forms of regional economic cooperation.

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UNITED
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Security Council

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16 September 1993

ORIGINAL: ENGLISH

# LETTER DATED 13 SEPTEMBER 1993 FROM THE PERMANENT REPRESENTATIVES OF PORTUGAL, THE RUSSIAN FEDERATION AND THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from our Governments, we have the honour to send to you the English and Portuguese texts of the statement made by the representatives of the delegations of Portugal, the Russian Federation and the United States of America in Lisbon, on 10 September 1993, concerning the situation in Angola, and to request that this be circulated as a document of the Security Council.

(Signed) Pedro CATARINO
Permanent Representative of
Portugal to the United Nations

(Signed) Yuliy M. VORONTSOV
Permanent Representative of
the Russian Federation to
the United Nations

(Signed) Madeleine Korbel ALBRIGHT
Permanent Representative of the
United States of America to the
United Nations

## Annex

### Joint statement dated 10 September 1993

1. Representatives of the observer countries of the Angolan peace process, Portugal, Russia and the United States of America, met today in Lisbon to discuss the situation in Angola.

2. The delegations noted with concern that, as a result of the military offensive of the National Union for the Total Independence of Angola (UNITA), the war in Angola is intensifying, resulting in legitimate efforts by the Government of the Republic of Angola to defend itself. They once more reaffirmed that the solution of the Angolan conflict will have to be found in a negotiated settlement leading to genuine national reconciliation.

3. The delegations stressed their Governments' satisfaction with the initiatives undertaken by the Special Representative of the Secretary-General in Angola to persuade UNITA's leader to return to the negotiating table, on the basis of the "Acordos de Paz", the results of the September 1992 elections and the additional principles reached in Abidjan.

4. Having in mind the next Security Council meeting on Angola, the delegations agreed upon recommendations to their respective Governments as to the measures to be proposed to the Security Council to undercut UNITA's ability to pursue war and to make it explicit to UNITA that it must resume negotiations.

5. The delegations gave special attention to the tragic humanitarian situation in Angola as well as to the drama of all foreign citizens trapped in the areas of conflict. They demanded the immediate release of all foreigners held captive by UNITA.

6. They voiced their appreciation for the efforts undertaken by the United Nations in order to alleviate the suffering of the victims of the conflict and expressed extreme concern over the difficulties and incidents that continue to disrupt the distribution of humanitarian relief.

7. The delegations of the Russian Federation and of the United States expressed their gratitude to the Government of Portugal for its hospitality.

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**UNITED NATIONS** **S**

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16 September 1993

ORIGINAL: ENGLISH

# LETTER DATED 15 SEPTEMBER 1993 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you of the latest developments with regard to Iraq's failure to comply with Security Council resolution 687 (1991) and the other relevant resolutions since the Council's last review of the sanctions regime against Iraq on 21 July 1993. This conduct constitutes a flagrant breach of the commitment it entered into on accepting that resolution and persistent defiance of the will of the international community. Iraq's approach to the implementation of its obligations under relevant Security Council resolutions has remained basically unchanged, in spite of its claim to be implementing them, without fully shouldering its basic responsibilities in respect of the letter and spirit of those resolutions. The following account of some Iraqi practices is a testimony to its failure to comply with the resolutions of the international community.

## A. Iraqi citizens and their property in Kuwait

Kuwait is committed to compensating Iraqi farmers/landlords for their property on the Kuwaiti side of the border. This is documented in a letter dated 2 December 1992 from H.E. Sheikh Sabah Al Ahmad Al Jaber Al Sabah, First Deputy Prime Minister and Minister for Foreign Affairs of the State of Kuwait, addressed to the Secretary-General. To this end, and in consultation with the Secretary-General, an impartial Swedish land survey expert is currently engaged in carrying out the task of assessing the value of the property and the number of Iraqi nationals located on the Kuwaiti side of the border. So far the Iraqi regime has encouraged the Iraqi farmers/landlords to reject the principle of compensation and relocation, in apparent defiance of the newly demarcated boundary between Kuwait and Iraq. In a letter dated 1 March 1993, the Permanent Representative of Iraq rejected the principle of relocation and compensation, stating that the "Iraqi authorities shall take no action that might tend to recognize the injustice deliberately inflicted on Iraq". He added that "the United Nations must assume legal and moral responsibility for the iniquitous decision it has taken and for the consequences to which it gives rise in terms of the expropriation from Iraqi citizens of land that belongs to their forefathers". Furthermore, the Iraqi authorities had informed the United Nations that Iraq would not cooperate with the assessment by the Swedish expert because that would be tantamount to accepting the demarcated boundary.

Iraq's refusal to cooperate with the Swedish expert and its continued unwillingness to assist in the relocation of Iraqi farmers/landlords whose properties are located on the Kuwaiti side of the border, is a clear indication of Iraq's persistent pursuit of a policy of defiance of Security Council resolution 833 (1993) adopted under Chapter VII of the Charter of the United Nations, in which the Council welcomed the demarcation of the land and offshore boundaries between Kuwait and Iraq and demanded that Iraq and Kuwait respect the inviolability of the international boundary between the two countries.

## B. Kuwait's security trench

On 12 May 1993, Kuwait informed the Secretary-General that it had decided to take action to prevent infiltration of Iraqi agents, smugglers and saboteurs into Kuwaiti territory, such as those who plotted the assassination attempt of former President George Bush. In an effort to prevent such infiltration, Kuwait proceeded to construct a security trench in Kuwaiti territory at a distance of 70 metres from the internationally demarcated border.

In coordination with the United Nations Iraq-Kuwait Observation Mission (UNIKOM), on 9 June 1993, Kuwait started the construction of the trench from the Ojeh triangle in the south-west of Kuwait, proceeding northward. UNIKOM has been reporting periodically on the project.

So far the project has been progressing in a satisfactory manner through areas without farms, oil wells or population. However, the endeavour was not without incidents. On 17 August 1993, and again on 25 August 1993, Iraqi infiltrators crossed the international boundary into Kuwait from Iraq in an effort to seize some equipment used in the project. On both occasions, Kuwaiti border patrols exchanged fire with the infiltrators, who fled back to Iraq.

Taking into account Iraq's persistent refusal to recognize the newly demarcated international boundary between Kuwait and Iraq and its persistent disregard of the boundary and the definitive nature of the decisions of the United Nations Iraq-Kuwait Boundary Demarcation Commission, Kuwait foresees that Iraq will not accept the trench being dug in populated areas in the central part of the boundary. Kuwait strongly believes that Iraq will prevent the trench from being completed in that area by whatever means.

Kuwait calls upon the Security Council to be vigilant in monitoring Iraqi actions in the next few months so that Kuwait can exercise its sovereign right in constructing this security trench.

## C. The continued Iraqi assertions that Kuwait is part of Iraq

The continued Iraqi assertions that Kuwait is part of Iraq is a clear indication of Iraq's indifference to complying with the resolutions of the Security Council. Furthermore, such claims are unequivocal proof of Iraq's unwillingness to recognize the State of Kuwait, which constitutes a threat to the stability and security of both Kuwait and the region.

Given Iraq's indifference to the resolutions of the Security Council, it must be called upon to desist from such claims each time the sanctions regime is reviewed, since they constitute unequivocal defiance of the essence of these resolutions, under which is required to respect the independence, sovereignty and territorial integrity of Kuwait.

We wish to review some of the Iraqi claims that have come to light since the last review, for your benefit and for the benefit of the members of the Security Council:

1. On 31 July 1993, an article entitled "Kuwait will remain the beloved offspring of Iraq" appeared in the newspaper Al-Iraq Al-Iraqia, in which the writer, recalling the Iraqi invasion of Kuwait on 2 August 1990, wrote: "upon the orders of our great leader Saddam Hussein, the critical moment has arrived to overthrow the tyrant of Kuwait and his decaying regime ... and to get back our land that was stolen from our Iraq by force and under the order of treachery and imperialism". The writer further stated: "It is a joyous moment ... that will remain with us for as long as we live ... no matter how much pressure our enemies would exert on our great Iraq by their different aggressive military means, Iraq will not relinquish its legitimate right in retaining Kuwait".

2. On 31 July 1993, an article entitled "2 August 1990 is the great Al Nida Day ... the start of the great awakening" appeared in the newspaper Al-Iraq Al-Iraqia, in which the writer stated "on 2 August 1990 the Iraqis succeeded in correcting a grave historical mistake ... when they turned back to its correct path, by returning Kuwait to its mother country ... Kuwait, historically and in reality is an integral part of Iraq". He added: "The 2 August 1990 was a revolution by all means to correct a historical mistake which was the responsibility of Great Britain, American imperialism and International zionism".

3. On 5 August 1993, an article entitled "Kuwait ... our heart and lungs" appeared in the newspaper Al-Jamhuria, in which the writer described Saddam Hussein's decision to declare Kuwait a province of Iraq as a historical decision that cannot be changed or annulled by force. The writer further stated that "when this land was transformed - Kuwait into a base aimed towards the destruction of Iraq and its people ... our leader, Saddam Hussein, took the decision to return the branch to the whole ... the decision of 2 August 1990 will remain a sacred decision because it returned the land that our hearts yearned for".

4. On 26 August 1993, all the Iraqi newspapers referred to a statement given by a high-level Iraqi official in which he officially threatened Kuwait when it decided to extend humanitarian assistance to the Kurds in the northern part of Iraq. The high-level official stated that "Iraq considers this decision ... a serious threat to the sovereignty and security of Iraq ... and Iraq will reserve its right to take appropriate action towards this aggressive act in due time".

D. Kuwaiti and third-country nationals, prisoners and missing persons

With regard to this humanitarian question, although two years have passed since the adoption of Security Council resolution 687 (1991) and in spite of Iraq's official acceptance of that resolution, no progress has been achieved, as testified by the following:

1. Iraq's continued refusal to attend the meetings of the Tripartite Committee (comprising coalition members, Iraq and the International Committee of the Red Cross (ICRC)) dealing with the issue of prisoners, detainees and missing persons. Iraq did not attend the last meeting of the Committee called by ICRC in Geneva on 29 July 1993.

2. Iraq has not yet discharged its obligations under paragraph 30 of resolution 687 (1991), by which it is required to extend all necessary cooperation to ICRC by providing lists of prisoners and detainees, facilitating the access of the Committee to places where they are located or detained, and facilitating the Committee's search for them.

3. Iraq has not yet replied to the official request by ICRC for information concerning the files of 627 individuals. Although six months have passed since the files were handed over to Iraq, it is clearly reneging on its previous undertaking to reply regarding any file within 10 days of receiving it.

4. Outside the context of the Security Council's mechanism for dealing with this matter, Iraq has prevented the Secretary-General's Envoy to the League of Arab States, Mr. Rashid Idris, from carrying out his mission to visit Iraq and use his good offices as a mediator for the release of the prisoners and detainees. It has also thwarted efforts by the Moroccan monarch, His Majesty King Hassan II, and his gracious mediation aimed at securing the release of Kuwaiti prisoners and detainees.

E. Return of property seized from the public and private sectors

Despite Iraq's superficial cooperation in this matter, it should be borne in mind that, what Iraq returns in fulfilment of its obligation under resolutions 686 (1991) and 687 (1991) represents an incomplete implementation of those resolutions, for the following reasons:

1. Most of the equipment handed over by Iraq has been intentionally wrecked or destroyed, sometimes a few hours before the hand-over, which renders it worthless and of no further use.

2. Iraqi authorities still insist that they are not responsible for the return of property estimated at hundreds of millions of dollars stolen from the private sector, some of which was burned and other items moved to Iraq, as documented by inventories published by Iraqi ministries, signed and sealed by special government bodies that came to Kuwait to supervise the seizure and transport operations. Kuwait is in possession of a number of such documents left behind by the Iraqi regime after the liberation of Kuwait.

3. Iraq is not fulfilling its obligations with regard to the list agreed on with the United Nations Coordinator for the hand-over of stolen property inasmuch as it often postpones and delays the hand-over operations, which entails additional financial costs and administrative measures for Kuwait.

## F. The Compensation Fund

Iraq has not fulfilled its obligation with regard to compensation under section E of resolution 687 (1991), and it refuses to disclose its gold and hard currency assets. It persists in refusing to implement resolutions 706 (1991) and 712 (1991), a violation that affects both Iraqis and non-Iraqis. The humanitarian dimension of this question cannot be ignored.

## G. Weapons of mass destruction

Iraq's cooperation with the Special Commission and the International Atomic Energy Agency (IAEA) has not been complete. In spite of its claim to be providing information on the programme for the development of chemical and biological weapons and cooperating with the inspection teams, Iraq systematically restricts the freedom of movement of the United Nations Special Commission and has on several occasions threatened individuals serving on the Commission, in a spirit of defiance and contrary to what has been promised to the Special Commission. Iraq has not yet permitted the operation of cameras in weapons development sites.

The issues raised above are clear indicators of Iraq's persistent pursuit of a policy of defiance of Security Council resolutions. Since the objective of these resolutions is to secure full respect for Kuwait's independence, sovereignty and territorial integrity, the international community must take appropriate action to secure Iraq's compliance, in letter and spirit, with all relevant Security Council resolutions. The Council needs to address not only the consequences of the invasion and occupation of Kuwait but also the Iraqi motives for the invasion. In other words, the Security Council should focus on the continued assertion that Kuwait is part of Iraq. Otherwise Iraqi intentions will continue to pose a threat to security and peace in the region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

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